

RULE 111

(as amended effective August 6, 2008)

PLEA AGREEMENTS

(a) Time Limits

Attorneys for defendants are expected to inform the Court as promptly as possible that a defendant will request a change of plea. It is expected that, except for extraordinary circumstances, notification will be given to the Court not less than two (2) business days prior to commencement of the trial, in order to avoid the unnecessary expense of convening a jury panel. The attorneys for the government and defense counsel shall, unless ordered by the Court, file a written plea agreement before the Change of Plea Hearing.

(b) Contents of Plea Agreements and Plea Agreement Supplements

The parties shall ensure that plea agreements are sanitized as to any reference as to whether a criminal defendant has agreed to cooperate with the United States. A second document entitled "Plea Agreement Supplement" shall be filed under seal in conjunction with every plea agreement. If a criminal defendant has agreed to cooperate, the Plea Agreement Supplement shall contain the cooperation agreements. If the criminal defendant and the United States have not entered into a cooperation agreement, the Plea Agreement Supplement shall indicate that there is no cooperation agreement.

(c) Safety Valve Information

The parties shall further ensure that plea agreements are sanitized as to any reference as to whether a criminal defendant qualifies for sentencing pursuant to the safety valve criteria set forth in 18 U.S.C. §3553(f) and U.S.S.G. §5C1.2. Any such information of any agreement reached by the parties pursuant thereto shall also be filed under seal as part of the Plea Agreement Supplement.

(d) Public Notice

All plea agreements will be filed as public (unsealed) documents, with no viewing restrictions. The docket entry noting the filing of the sealed Plea Agreement Supplement shall be publicly available on ECF, but the document itself shall only be available to the Court.

(d) Duration of Sealing

Plea Agreement Supplements shall remain sealed until otherwise ordered by the Court.